

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.

Original claims 4-6, and 19-20 have been cancelled without acquiescence to Examiner's rejections. New claims 21-24 have been added to better define Applicant's invention.

Response to Rejections under 35 U.S.C. §103(a)

Cancelled claims 4, 5, 19, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Martin et al. (U.S. Pat. 5,355,302 "Martin") in view of Moskowitz (U.S. Pat. 5,428,606 "Moskowitz") and Wilder (U.S. Pat. 5,408,417 "Wilder").

New independent claim 21 requires a jukebox system, connected to a distribution network controlled by a host server. According to claim 21, the jukebox system comprises a display, comprising a touch screen portion, that can display a customer interface. And the customer interface comprises at least one displayed touch selectable option, corresponding to at least one song, for selecting the corresponding song to be played. Additionally, the jukebox system comprises a memory, an audio reproduction system, a communication system, and a fee payment device. According to claim 21 the memory stores at least songs that may be played on the jukebox apparatus in response to selections from a customer. The communication system is for enabling the jukebox to communicate with the distribution network. Also, according to claim 21, the display can display at least one option for selecting a song not yet available on the jukebox device for download to the jukebox device. Finally, the display is still further operable to display a

questionnaire. The questionnaire is different from touch selectable options for selecting songs for playback and options for selecting songs for download, and comprises one or more questions for gathering customer information. The touch-screen is operable to accept customer input corresponding to the answers to the one or more questions, and the answers are saved to a questionnaire response file in the memory. Applicant submits that the cited references, independently or in combination, do not teach the combination claimed in new independent claim 21.

For example, independent claim 21 requires, *inter alia*, “the display is still further operable to display a questionnaire, different from touch selectable options for selecting songs for playback and touch selectable options for selecting songs for download, comprising one or more questions for gathering customer information.” The combination of Martin, Moskowitz, and Wilder does not teach this limitation in combination with the other limitations in claim 21.

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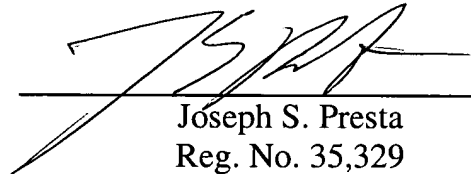
Conclusion

For at least the foregoing reasons, Applicant respectfully submits that the invention defined by the new independent claim 21 presented herein is not taught or suggested by the prior art of record. Dependent claims 22-24 should be patentable based at least on their dependency from claim 21. Thus, withdrawal of the rejections and allowance of newly added claims 21-24 in this application are earnestly solicited.

Respectfully submitted,

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